IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 34321 of 2006(J)

PETITIONER:

L.D.SIVASANKARAN, S/O.DAMODARAN PILLAI,
MATHALITHAVATHIL, N.K.S.STORES,
VANDANMEDU VILLAGE, IDUKKI DISTRICT.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:
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1. UNION OF INDIA, REP. BY SECRETARY
MINISTRY OF LABOUR, NEW DELHI.

2. ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANIZATION,
SUB REGIONAL OFFICE, KOTTAYAM.

BY ADV. SRI. AJITH KRISHNAN, ADDL.CGSC
ADV. SRI. JYOTHI PRASAD, SC FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.34321 of 2006

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Dated this the 1st day of February, 2007.

JUDGMENT

Petitioner is assessed to make certain payments under the Employees Provident Fund Act. Against Ext.P7 proceedings, he preferred a review in the form of Ext.P8, which is out of time. That was therefore rejected as evidenced by Ext.P9. Petitioner has not preferred any statutory appeal before the Appellate Tribunal against Ext.P6. Petitioner is also stated to have remitted the entire amounts due under the impugned orders.

2. In the aforesaid circumstances, when this matter is taken up today, the learned counsel for the petitioner confines his submissions to a request that the respondents may be directed to give opportunity to the petitioner to place records and satisfy the assessing authorities under the Employees Provident Fund Act that the petitioner is not bound to pay any amount under that Act. He prays that at least such

opportunity may be given if any fresh assessment is made regarding the future years, since, according to him, it is the case of the petitioner that he no more holds any parcel of the estate in question. It is directed that if any future assessments are made on or from 2004, the petitioner will be given an opportunity of hearing since he is entitled to such an opportunity even in terms of law.

Writ Petition is disposed of in the above terms.

Thottathil B.Radhakrishnan,
Judge.

sl.